



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,958	03/08/2001	Louise Mary Wasilewski	A-6979	8732

5642 7590 04/20/2005

SCIENTIFIC-ATLANTA, INC.  
INTELLECTUAL PROPERTY DEPARTMENT  
5030 SUGARLOAF PARKWAY  
LAWRENCEVILLE, GA 30044

EXAMINER
----------

MANNING, JOHN

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/801,958

Applicant(s)

WASILEWSKI, LOUISE MARY

Examiner

John Manning

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-1-2, 4, 9-13, 17-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Browne et al. (International Publication Number WO 92/22983).

In regard to claim 1, Brown et al. discloses a large capacity, random access, multi-source audio and video recorder player which is capable of receiving a plurality of simultaneous input signals and which allows a user to view and/or record selected ones of the plurality of input signals. "The multi-source recorder player 100 preferably has multiple input connections, each of which may receive an input signal 101a-101f from air and ground based broadcast sources, cable feeds, or digital distribution sources" (Page 6). The claimed limitation of "a processor for receiving multiple types of information, the processor including an output port for selectively transmitting the information for recording, an input port for receiving user commands, and a presentation port for transmitting the information for presentation to a user" is met by the controller 105 of Figure 1. "Controller 105 is a microprocessor which preferably runs a user control program and allows a user to access and control the multi-source recorder player 100. The user control section, which is described in greater detail with respect to Figs. 2-11, preferably acts similarly to the graphical interface provided by the Windows

Art Unit: 2614

product sold by Microsoft, Inc. Selections are made via a remote control with a cursor positioning device such as a mouse or trackball" (Page 13). The claimed limitation of "a presentation device coupled to the presentation port of the processor for receiving the information and presenting the information to the user" is met by the two digital output 112g and 112h of Figure 1. "There are two digital output 112g and 112h. Output 112g may be used for sending decompressed digital data, for example, to a digital television receiver" (Page 16). The claimed limitation of "a command unit including a transmitter coupled to the input port of the processor for providing recording commands to the processor and input means for receiving the recording commands from the user" is met by aforementioned remote control. "Program viewing typically involves retrieving a program stored in the storage section 104 and/or viewing an incoming program from sources 101a-101h. The user of the multi-source recorder player 100 communicates with controller 105 in order to control the multi-source recorder player 100 and to retrieve data, stored as programs, in storage section 104" (Page 13). The claimed "storage device coupled to the output port of the processor for receiving the information to be recorded and for storing the information" is met by storage 104. The claimed limitation of "wherein the recording commands indicate to the processor that at least one selected type of information has been selected for storage by the storage device, and wherein, upon reception of a recording command from the user, the command transmits the recording command to the processor, in response to which the at least one selected type of information is provided to the storage device, and wherein other non-selected types of information are not provided to the storage device for recording"

Art Unit: 2614

is met by that discussed above. The reference discloses that the user selects the program to be recorded; consequently, it is inherent that non-selected types of information are not provided to the storage device for recording.

In regard to claim 2, the claimed limitation that "the presentation device is a television" is met by the two digital output 112g and 112h of Figure 1. "There are two digital output 112g and 112h. Output 112g may be used for sending decompressed digital data, for example, to a digital television receiver" (Page 16).

In regard to claim 4, it is noted that the examiner interprets the claim to be written in the alternative, such that the claim may be met by an "audio stream", a "video stream" or a "data stream". The reference discloses that audio and video streams are received by inputs 113. "Fig. 1 is a block diagram of a preferred embodiment of the multi-source recorder player 100 of the present invention. With the multi-source recorder player 100, a plurality of programs, consisting of audio and/or video signals, may be received simultaneously from a plurality of sources" (Page 5).

In regard to claim 9, the claimed limitation of "the processor and the storage device are packaged as a stand-alone unit" is met by Figure 1. "Fig. 1 is a block diagram of a preferred embodiment of the multi-source reorder player 100 of the present invention. With the multi-source recorder player 100, a plurality of programs, consisting of audio and/or video signals, may be received simultaneously from a plurality of sources" (Page 5).

Art Unit: 2614

In regard to claim 10, Browne discloses that the system is used in conjunction with cable television broadcasting, satellite broadcasting, or ISDN, which are well known to be broadband communications systems.

In regard to claim 11, Browne discloses that the system is used in conjunction with cable television broadcasting system, which inherently has a headend for generating multiple types of information and is a distribution system for delivering the information.

In regard to claim 12, it is noted that the examiner interprets the claim to be written in the alternative, such that the claim may be met by an "an optical fiber network", "a coaxial cable network", "a hybrid fiber-coaxial (HFC) network", "a satellite system", "an off-air VHF/UHF network", or "a direct broadcast system". Brown discloses "a coaxial cable network", "a satellite system" and "an off-air VHF/UHF network". "The input demodulators 113a-113g demodulate signals from the following sources VHF TV broadcasting, UHF TV broadcasting, FM radio broadcasting, AM radio broadcasting, cable television, satellite broadcasting, ISDN or other digital distribution sources and a VCR or audio recorder. Moreover, of the plurality of input demodulators 113a-113g, more than one may preferably receive the same type of signal. Thus, for example, a plurality of cable television input signals may be received simultaneously by the multi-source recorder player 100" (Page 9).

In regard to claim 13, Brown et al. discloses a large capacity, random access, multi-source audio and video recorder player which is capable of receiving a plurality of simultaneous input signals and which allows a user to view and/or record selected ones

of the plurality of input signals. "The multi-source recorder player 100 preferably has multiple input connections, each of which may receive an input signal 101a-101f from air and ground based broadcast sources, cable feeds, or digital distribution sources" (Page 6). Browne discloses that the system is used in conjunction with cable television broadcasting system, which inherently has a headend for generating multiple types of information and is a distribution system for delivering the information. Input 101g and input demodulator 113g meets the limitation of a demodulator for demultiplexing the incoming stream. The D/A converter 110 meets the limitation of a decoder for decoding and providing the stream to the presentation device. The D/A converters are coupled indirectly to both the demodulator and the controller. The claimed limitation of "a processor coupled to the demodulator for receiving a portion of the transport stream, the processor including an output port for selectively transmitting the portion of the transport stream for recording, an input port for receiving user commands, and a presentation port for transmitting the portion of the information for presentation to a user" is met by the controller 105 of Figure 1. "Controller 105 is a microprocessor which preferably runs a user control program and allows a user to access and control the multi-source recorder player 100. The user control section, which is described in greater detail with respect to Figs. 2-11, preferably acts similarly to the graphical interface provided by the Windows product sold by Microsoft, Inc. Selections are made via a remote control with a cursor positioning device such as a mouse or trackball" (Page 13). The claimed limitation of "a presentation device coupled to the decoder for receiving the at least one of the streams and presenting the streams to the user" is met by the two digital output

---

Art Unit: 2614

112g and 112h of Figure 1. "There are two digital output 112g and 112h. Output 112g may be used for sending decompressed digital data, for example, to a digital television receiver" (Page 16). The claimed limitation of "a command unit including a transmitter coupled to the input port of the processor for providing recording commands to the processor and input means for receiving the recording commands from the user" is met by aforementioned remote control. "Program viewing typically involves retrieving a program stored in the storage section 104 and/or viewing an incoming program from sources 101a-101h. The user of the multi-source recorder player 100 communicates with controller 105 in order to control the multi-source recorder player 100 and to retrieve data, stored as programs, in storage section 104" (Page 13). The claimed "a storage device coupled to the output port of the processor for receiving the portion of the transport stream to be recorded and for storing the portion of the transport stream a storage device coupled to the output port of the processor for receiving the portion of the transport stream to be recorded and for storing the portion of the transport stream" is met by storage 104. The claimed limitation of "wherein the recording commands indicate to the processor that at least one of the selected streams has been selected for storage by the storage device, and wherein, upon reception of a recording command from the user, the command unit transmits the recording command to the processor, in response to which the at least one of the selected streams is provided to the storage device, and wherein other non-selected streams are not provided to the storage device for recording." is met by that discussed above. The reference discloses that the user



Art Unit: 2614

selects the program to be recorded; consequently, it is inherent that non-selected types of information are not provided to the storage device for recording.

In regard to claim 17, it is noted that the examiner interprets the claim to be written in the alternative, such that the claim may be met by an "an optical fiber network", "a coaxial cable network", "a hybrid fiber-coaxial (HFC) network", "a satellite system", "an off-air VHF/UHF network", or "a direct broadcast system". Brown discloses "a coaxial cable network", "a satellite system" and "an off-air VHF/UHF network". "The input demodulators 113a-113g demodulate signals from the following sources VHF TV broadcasting, UHF TV broadcasting, FM radio broadcasting, AM radio broadcasting, cable television, satellite broadcasting, ISDN or other digital distribution sources and a VCR or audio recorder. Moreover, of the plurality of input demodulators 113a-113g, more than one may preferably receive the same type of signal. Thus, for example, a plurality of cable television input signals may be received simultaneously by the multi-source recorder player 100" (Page 9).

Claims 18-20 are met by that discussed above for claims 13 and 17

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2614

4. Claims 3, 5-8 and 14-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Browne et al.

In regard to claim 3, the reference discloses a remote control for providing for providing recording command from the user. The reference fails to explicitly disclose that the remote control is an infrared remote control. The Examiner takes Official Notice that it is notoriously well known in that art to have a remote control that is an infrared remote control so as to provide a convenient and flexible way of conveying user command to a system. Consequently, it would have been obvious to one of ordinary skill in the art to implement Browne with a remote control for the stated advantage.

In regard to claim 5, Browne discloses recording compressed digital signals. The reference fails to explicitly disclose that the compressed digital signals are MPEG transport streams. The Examiner takes Official Notice that it is notoriously well known in that art to compressed digital signals that are MPEG transport streams so as to provide interoperability. Consequently, it would have been obvious to one of ordinary skill in the art to implement Browne with compressed digital signals that are MPEG transport streams for the stated advantage.

In regard to claim 6, input 101g and input demodulator 113g meets the limitation of a demodulator for demultiplexing the incoming stream. The D/A converter 110 meets the limitation of a decoder for decoding and providing the stream to the presentation device. The reference fails to explicitly disclose that the compressed digital signals are MPEG transport streams. The Examiner takes Official Notice that it is notoriously well known in that art to compressed digital signals that are MPEG transport streams so as

Art Unit: 2614

to provide interoperability. Consequently, it would have been obvious to one of ordinary skill in the art to implement Browne with compressed digital signals that are MPEG transport streams for the stated advantage.

In regard to claims 7 and 8, Browne discloses providing a menu to the user that is indicative to the available stream where the user can choose at least one of the streams for recording as can be seen in Figure 6. As to the limitation of the transport streams including packet identifiers, packet identifiers are inherent to the MPEG specification.

In regard to claim 14, Browne discloses recording compressed digital signals. The reference fails to explicitly disclose that the compressed digital signals are MPEG transport streams. The Examiner takes Official Notice that it is notoriously well known in that art to compressed digital signals that are MPEG transport streams so as to provide interoperability. Consequently, it would have been obvious to one of ordinary skill in the art to implement Browne with compressed digital signals that are MPEG transport streams for the stated advantage.

In regard to claims 15 and 16, Browne discloses providing a menu to the user that is indicative to the available stream where the user can choose at least one of the streams for recording as can be seen in Figure 6. As to the limitation of the transport streams including packet identifiers, packet identifiers are inherent to the MPEG specification.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows:

- Rodriguez et al. (US Pat No 6,760,918) discloses a method and apparatus for recording media content distribution.
- Look et al. (US Pat No 6,757,906) discloses a television viewer interface system.
- Knudson et al. (US Pat No 6,275,648) discloses a program guide system for recording television programs.
- Ellis et al. (US Pat App Pub No 2002/0174430) discloses a system and method for IPGs with personal video recording features.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM  
April 4, 2005

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600